

Federal guidance requires that LEAs receiving allocations under Title II, Part A provide private school access to funded programs and activities to the extent that the LEA uses funds to provide for professional development for teachers and other school personnel. It is the responsibility of the LEA to consult with each eligible nonpublic school in its boundaries to plan for appropriate and equitable participation. During consultation, the LEA may verify the appropriate level of participation for eligible nonpublic teachers in existing LEA programs, or determine an equitable participation for LEA funding of professional development projects. It is advisable to hold this consultation prior to the UCA application so the budget includes provision for nonpublic school participation where appropriate.

Equitable participation may be determined by calculating equal expenditures based on the relative enrollments of public and private school students and the percentage of Title IIA funds allocated for professional development. Participation must assess, address, and evaluate the needs of nonpublic teachers in the same manner as public teachers and provide approximately the same amount of training. LEAs may invite nonpublic teachers to participate in LEA sponsored activities, but if the needs assessment determines other needs, LEAs may fund opportunities targeted towards nonpublic school needs.

For the purposes of equitable participation under Title IIA, a nonpublic, private school is defined as a nonprofit elementary or secondary institutional day or residential school that is not under Federal or public supervision or control. For-profit institutions and government schools (such as BIA schools) are not eligible.

As part of the application process, LEAS must consult with appropriate private school officials on such issues as:

- how the needs of children and teachers will be identified;
- what services will be offered;
- how, where, and by whom the services will be provided;
- how the services will be assessed and how the results of the assessment will be used to improve those services;
- the size and scope of the equitable services;
- the amount of funds available for those services; and
- how and when the LEA will make decisions about the delivery of services.

LEA's may pay for participation in LEA sponsored professional development or other professional development but must not sub-grant Title IIA money directly to nonpublic schools. If funds pay for stipends for participation in professional development, they must be paid directly to the private school teacher. Title IIA funds may NOT be used for any portion of a private school teacher's salary or benefits, or for substitutes for teachers in private schools.

Additional guidance regarding private school participation is available in Section G of the Non-regulatory Guidance available at <http://www.ed.gov/programs/teacherqual/guidance.pdf>. You may also contact Diana Suddreth, diana.suddreth@schools.utah.gov with questions.